

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TERRANCE FITZPATRICK,
Petitioner,

v.

JEROME WALSH, Superintendent,
PA STATE ATTORNEY GENERAL, and
NORTHAMPTON COUNTY DISTRICT
ATTORNEY'S OFFICE,
Respondents.

CIVIL ACTION

NO. 13-6743

ORDER

AND NOW, this 10th day of October, 2014, upon consideration of Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody filed by *pro se* petitioner, Terrance Fitzpatrick, the record in this case, the Report and Recommendation of United States Magistrate Judge M. Faith Angell dated September 15, 2014, and *pro se* petitioner's Objection to Report and Recommendation, **IT IS ORDERED** as follows:

1. The Report and Recommendation of United States Magistrate Judge M. Faith Angell dated September 15, 2014, is **APPROVED AND ADOPTED**;
2. The Objection to Report and Recommendation filed by *pro se* petitioner, Terrance Fitzpatrick is **OVERRULED** for the reasons stated by Magistrate Judge Angell in the Report and Recommendation dated September 15, 2014;
3. The Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody filed by *pro se* petitioner, Terrance Fitzpatrick, is **DISMISSED**; and,
4. A certificate of appealability will not issue because reasonable jurists would not

debate the propriety of this Court's procedural rulings with respect to petitioner's claims. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

BY THE COURT:

/s/ Hon. Jan E. DuBois

DuBOIS, JAN E., J.